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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,388	03/21/2001	Barry Jones	GB 000092	8837

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

DADA, BEEMNET W

ART UNIT PAPER NUMBER

2135

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/814,388	JONES, BARRY	
	Examiner	Art Unit	
	Beemnet W Dada	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-7 have been examined.

Specification

2. The disclosure is objected to because of the following informalities: the specification is missing section headings. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Wells et al (hereinafter Wells) (US Patent No. 6,078,820).

5. As per claims 4 and 6, Wells teaches a system for delivering information services, comprising a source of information (i.e., Personal message center (server 42 or MC) see column 6, lines 43-67, figures 2 and 3), means for encrypting the information to include

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commands (i.e., encoding the information into different parts (DESC) that includes commands) [column 13 lines 30-49, column 9, lines 3-9,33-36, column 10, lines 3-14, and column 8,lines 55-59], means for formatting the information and commands as packet message signals [column 7, lines 31-36], a text center for incorporating the packet message signals into a predetermined text page and for transmitting said text page [column 7, lines 31-36, and column 9, lines 14-40 and column 10, lines 3-13 and column 15, lines 55-65], a display apparatus including signal receiving means and a client for parsing commands (DESC message parsing, note that DESC includes commands) in the packet message signals and means for conditioning the display apparatus in response to the commands in order to operate on and/or display the information as desired [column 13, lines 33-50, column 15, lines 37-55 and column 8, lines 9-19].

6. As per claim 5, Wells teaches, a display apparatus having the capability of receiving broadcast text services, including a client for parsing commands (DESC message parsing, note that DESC includes commands) present in packet message signals transmitted in at least one predetermined text page and means for conditioning the display apparatus in response to the commands [column 13, lines 33-50, column 15, lines 37-55 and column 8, lines 9-19 and column 14, lines 13-44].

7. As per claim 7, Wells teaches a signal comprising a text page including at least one packet message signal (short message service signals) including encrypted information and commands [column 13 lines 30-49, column 9, lines 3-9,33-36, column 10, lines 3-14, and column 8,lines 55-59].

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells (US Patent No. 6,078,820) in view of Raivisto (US Patent No. 6,556,835 B1).

10. As per claim 1, Wells teaches a method of delivering information services to a display apparatus having the capability of receiving broadcast text services, comprising assigning at least one text page to the delivery of information services and receiving information [column 3, lines 43-57 and column 9, lines 17-31], encrypting the information to include commands (i.e., encoding the information into different parts (DESC) that includes commands) [column 13 lines 30-49, column 9, lines 3-9, 33-36, column 10, lines 3-14, and column 8, lines 55-59], formatting the encrypted information and commands as packet message signals (short message service signals) [column 7, lines 31-36], transmitting the formatted packet message signals as at least one text page [column 7, lines 31-36, and column 9, lines 14-40 and column 10, lines 3-13 and column 15, lines 55-65], receiving the at least one text page and parsing the packet message signal to recover the commands (DESC message parsing, note that DESC includes commands) and using the commands to operate on and/or display the information as desired [column 13, lines 33-50, column 15, lines 37-55 and column 8, lines 9-19]. Wells does not explicitly teach decrypting the packet message signals to recover the commands. However Raivisto teaches

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method of delivering information services to a display apparatus including decrypting packet message signals to recover the commands [column 5, lines 1-7 and lines 15-28]. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a method of decrypting packet message signals to recover commands as per teachings of Ravisto into the message delivery service of Wells in order to allow displaying of broadcast message signals only within devices that are capable of decrypting messages.

11. As per claim 2, Wells teaches the method as applied above. Furthermore, Wells teaches the method, characterized in that the packet message signals are formatted as short message service (SMS) signals [column 7, lines 30-36].

12. As per claim 3, Wells teaches the method as applied above. Furthermore, Wells teaches, the method characterized in that the packet message signal includes an information service identifier and in that a display apparatus is enabled by the information services identifier to receive information services transmitted in the at least one text page [column 13, lines 51-60].

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (703) 305-8895. The examiner can normally be reached on Monday - Friday (8:30 am - 6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

August 19, 2004



KIM VU
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